

**Notice of Allowability**

Application No.

09/232,049

Examiner

William C. Vaughn, Jr.

Applicant(s)

SATO ET AL.

Art Unit

2143

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/17/05.
2. ☒ The allowed claim(s) is/are 1-4, 6-8, 12 and 13 Renumbered 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9/17/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

W. C. Vaughn, Jr.  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dexter Chang, Reg. No. 44,071 on 16 September 2005.

### IN THE CLAIMS

Please cancel claims 5 and 9-11 without prejudice or disclaimer.

Please add new claims 12 and 13.

Please amend claims 1-4, 6, 7, 8, 12 and 13 as follows:

**Claim 1 (currently amended)** A method of racing control in system management including the steps of determining, regarding newly requested operations under the Common Management Information Protocol (CMIP) defined by an Open System Interconnection (OSI) model for switching systems, if a managed object instance of CMIP operations now being executed and a managed object instance specified by the newly requested CMIP operations are different or the same and, when the instances are different, allowing execution of the newly requested CMIP operations, and, when the instances are the same, referring to a racing control table formed based on a combination of operation classifications to determine whether it is possible to execute the newly requested CMIP operations, said method further comprising the steps of:

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Registering the CMIP operations now being executed in an operation registration table;  
storing information in the racing control table indicating if newly requested CMIP  
operations may be executed by using combinations of classifications of newly requested and now  
being executed CMIP operations; and  
extracting the CMIP operations now being executed from the operation registration table  
upon newly requested CMIP operations.

**Claim 2 (currently amended)** A method of racing control in system management including the steps of determining, regarding first newly requested operations of operations under the Common Management Information Protocol (CMIP) defined by the Open System Interconnection (OSI) model for switching systems or second newly requested operations of a format inherent to a system manufacturer or of a format inherent to a particular system, if an external expression establishing correspondence between managed object instances of CMIP operations and resources to be controlled of operations inherent to the system is different or the same as the external expression of the operations now being executed, when they are different, allowing the execution of the newly requested operations, and when they are the same, establishing correspondence of a classification of CMIP operations with a classification of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system, and referring to a common racing control table formed based on combinations of the latter classifications of control to determine whether it is possible to execute the newly requested operations, said method further comprising the steps of:

registering the operations now being executed in an operation registration table;

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storing information in the racing control table indicating if newly requested CMIP operations, or newly requested operations of a format inherent to a system manufacturer or of a format inherent to a particular system, may be executed by using combinations of classifications of newly requested operations and now being executed operations; and

extracting the operations now being executed from the operation registration table upon newly requested operations.

**Claim 3 (currently amended)** A method of racing control in system management including the steps of determining, regarding first newly requested operations of operations under the Common Management Information Protocol (CMIP) defined by the Open System Interconnection (OSI) model for switching systems or second newly requested operations of a format inherent to a system manufacturer or of a format inherent to a particular system, if an external expression establishing correspondence between managed object instances of CMIP operations and resources to be controlled of operations inherent to the system is different or the same as an external expression of the operations now being executed, when they are different, allowing the execution of the newly requested operations, and when they are the same, establishing correspondence of a classification of CMIP operations with the classification of control of operations inherent to the system and referring to a common racing control table formed based on combinations of the former classifications of CMIP operations to determine whether it is possible to execute the newly requested operations, said method further comprising the steps of:

registering the operations now being executed in an operation registration table;

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storing information in the racing control table indicating if newly requested CMIP operations, or newly requested operations of a format inherent to a system manufacturer or of a format inherent to a particular system, may be executed by using combinations of classifications of newly requested operations and now being executed operations; and  
extracting the operations now being executed from the operation registration table upon newly requested operations.

**Claim 4 (currently amended)** A system of racing control in system management by a Common Management Information Protocol (CMIP) operations defined by the Open System Interconnection (OSI) model for switching systems, provided with:

an operation registration table for registering operations now being executed;  
a racing control table for storing information indicating if newly requested operations may be executed by using combinations of classifications of newly requested and now being executed CMIP operations; and  
a racing control unit including a first means for extracting CMIP operations now being executed from the operation registration table upon newly requested CMIP operations, a second means for determining if a managed object instance of the CMIP operations now being executed extracted by this first means and a managed object instance of the newly requested CMIP operations are the same, and a third means for, when it is determined by this second means that they are the same, determining if the newly requested CMIP operations can be executed by referring to the racing control table,

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wherein the common racing control table is structured to establish correspondence for classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system with classifications of operations of the CMIP, and to store information indicating if the newly requested operations may be executed by using combinations of classifications of operations now being executed and classifications of the newly requested operations.

**Claim 5 (canceled)**

**Claim 6 (currently amended)** ~~A racing control system as set forth in claim 5;~~ A system of racing control in system management by a first operations under a Common Management Information Protocol (CMIP) defined by the Open System Interconnection (OSI) model for switching systems and second operations of a format inherent to a system manufacturer or of a format inherent to a particular system, provided with:

an operation registration table for registering operations now being executed;  
a common racing control table for establishing correspondence between classifications of operations of CMIP and classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system, and storing information indicating if newly requested operations may be executed; and

a racing control unit including a first means for extracting operations now being executed from the operation registration table upon newly requested operations, a second means for determining if an external expression corresponding to a managed object instance of the CMIP

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operations now being executed by this first means and the external expression of the newly requested operations are the same, and a third means for, when it is determined that they are the same by this second means, determining if the newly requested operations may be executed by referring to the common racing control table,

wherein the common racing control table is structured to establish correspondence for classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system with classifications of operations of the CMIP, and to store information indicating if the newly requested operations may be executed by using combinations of classifications of operations now being executed and classifications of the newly requested operations.

**Claim 7 (currently amended)** ~~A racing control system as set forth in claim 5;~~ A system of racing control in system management by a first operations under a Common Management Information Protocol (CMIP) defined by the Open System Interconnection (OSI) model for switching systems and second operations of a format inherent to a system manufacturer or of a format inherent to a particular system, provided with:

an operation registration table for registering operations now being executed;  
a common racing control table for establishing correspondence between classifications of operations of CMIP and classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system, and storing information indicating if newly requested operations may be executed; and

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a racing control unit including a first means for extracting operations now being executed from the operation registration table upon newly requested operations, a second means for determining if an external expression corresponding to a managed object instance of the CMIP operations now being executed by this first means and the external expression of the newly requested operations are the same, and a third means for, when it is determined that they are the same by this second means, determining if the newly requested operations may be executed by referring to the common racing control table,

wherein the common racing control table is structured to establish correspondence for classifications of operations of the CMIP with classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system, and to store information indicating if the newly requested operations may be executed by using combinations of classifications of control of operations now being executed and classifications of control of the newly requested operations.

**Claim 8 (currently amended)** ~~A racing control system as set forth in claim 5,~~ A system of racing control in system management by a first operations under a Common Management Information Protocol (CMIP) defined by the Open System Interconnection (OSI) model for switching systems and second operations of a format inherent to a system manufacturer or of a format inherent to a particular system, provided with:

an operation registration table for registering operations now being executed;  
a common racing control table for establishing correspondence between classifications of operations of CMIP and classifications of control of operations of a format inherent to a system



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manufacturer or of a format inherent to a particular system, and storing information indicating if newly requested operations may be executed; and

a racing control unit including a first means for extracting operations now being executed from the operation registration table upon newly requested operations, a second means for determining if an external expression corresponding to a managed object instance of the CMIP operations now being executed by this first means and the external expression of the newly requested operations are the same, and a third means for, when it is determined that they are the same by this second means, determining if the newly requested operations may be executed by referring to the common racing control table,

wherein the racing control unit is structured to determine, regarding CMIP operations and operations of a format inherent to a system manufacturer or of a format inherent to a particular system, if the newly requested operations may be executed, based on identity of expressions of resources to be controlled, identity or resemblance of categories of resources to be controlled, and the classifications of control or groups of classifications of control of operations now being executed and the newly requested operations.

**Claims 9-11 (canceled)**

**Claim 12 (new)** A system of racing control in system management by a Common Management Information Protocol (CMIP) operations defined by the Open System Interconnection (OSI) model for switching systems, provided with:

an operation registration table for registering operations now being executed;

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a racing control table for storing information indicating if newly requested operations may be executed by using combinations of classifications of newly requested and now being executed CMIP operations; and

a racing control unit including a first means for extracting CMIP operations now being executed from the operation registration table upon newly requested CMIP operations, a second means for determining if a managed object instance of the CMIP operations now being executed extracted by this first means and a managed object instance of the newly requested CMIP operations are the same, and a third means for, when it is determined by this second means that they are the same, determining if the newly requested CMIP operations can be executed by referring to the racing control table,

wherein the common racing control table is structured to establish correspondence for classifications of operations of the CMIP with classifications of control of operations of a format inherent to a system manufacturer or of a format inherent to a particular system, and to store information indicating if the newly requested operations may be executed by using combinations of classifications of control of operations now being executed and classifications of control of the newly requested operations.

**Claim 13 (new)** A system of racing control in system management by a Common Management Information Protocol (CMIP) operations defined by the Open System Interconnection (OSI) model for switching systems, provided with:

an operation registration table for registering operations now being executed;

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a racing control table for storing information indicating if newly requested operations may be executed by using combinations of classifications of newly requested and now being executed CMIP operations; and

a racing control unit including a first means for extracting CMIP operations now being executed from the operation registration table upon newly requested CMIP operations, a second means for determining if a managed object instance of the CMIP operations now being executed extracted by this first means and a managed object instance of the newly requested CMIP operations are the same, and a third means for, when it is determined by this second means that they are the same, determining if the newly requested CMIP operations can be executed by referring to the racing control table,

wherein the racing control unit is structured to determine, regarding CMIP operations and operations of a format inherent to a system manufacturer or of a format inherent to a particular system, if the newly requested operations may be executed, based on identity of expressions of resources to be controlled, identity or resemblance of categories of resources to be controlled, and the classifications of control or groups of classifications of control of operations now being executed and the newly requested operations.

### ***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance: the closet prior art of record (Hisayoshi) does not teach nor suggest in detail a method of racing control in system management including the steps of determining, regarding newly requested operations under the

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Common Management Information Protocol (CMIP) defined by an Open System

Interconnection (OSI) model for switching systems, if a managed object instance of CMIP operations now being executed and a managed object instance specified by the newly requested CMIP operations are different or the same and, when the instances are different, allowing execution of the newly requested CMIP operations, and, when the instances are the same, referring to a racing control table formed based on a combination of operation classifications to determine whether it is possible to execute the newly requested CMIP operations, said method further comprising the steps of: registering the CMIP operations now being executed in an operation registration table; storing information in the racing control table indicating if newly requested CMIP operations may be executed by using combinations of classifications of newly requested and now being executed CMIP operations; and extracting the CMIP operations now being executed from the operation registration table upon newly requested CMIP operations as argued by the Applicant (see Applicant's response 6/27/05, pages 8-10, pages 9-15 of Applicant's enabling portions of the specification). Also, Hadeyama, JPO 3-211647 does not teach in detail the claim subject matter. So as indicated by the above statements, Applicant's arguments have been considered persuasive, in light of the claim limitations as well as the enabling portions of the specification.

3. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

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Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

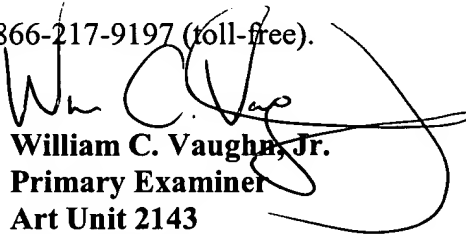
4. **Claims 1-4, 6, 7, 8, 12 and 13** are allowed.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**William C. Vaughn, Jr.**  
**Primary Examiner**  
**Art Unit 2143**  
**16 September 2005**

WCV